

In this case, the Court may grant S&W’s motion for leave to withdraw on the basis that “withdrawal can be accomplished without material adverse effect on the interests of the client” because no material proceedings have occurred in this matter. *See* Declaration of Harry H.

Rimm, dated June 13, 2018 (the “Rimm Decl.”), at ¶ 2. S&W is not asserting a charging or retaining lien. *See* Rimm Decl. ¶ 4.

At this stage, Shineco may retain new counsel without disrupting the proceedings and without any adverse effect, material or otherwise, on its interests. *See Tipoo v. Cohen & Slamowitz, LLP*, No. 11 Civ. 6046 (RJS), 2012 U.S. Dist. LEXIS 77168, at \*7 (S.D.N.Y. May 30, 2012) (“Therefore, as Plaintiff will not be the worse off should [counsel] withdraw, [counsel] may withdraw under Rule 1.16(c)(1).”).

There are one or more grounds for permissive withdrawal under Rule 1.16(c) of New York’s Rules of Professional Conduct that S&W will provide to the Court on an *in camera* basis if the Court requires. *See* Rimm Decl. ¶ 3. On several occasions since the beginning of this year, S&W advised Shineco of its intention to move to withdraw. *See* Rimm Decl. ¶ 5. S&W will promptly serve Shineco with as-filed copies of these motion papers by email and by Federal Express. *See* Rimm Decl. ¶ 5.

Based on the foregoing, S&W may withdraw as counsel of record, has set forth sufficient reasons to do so and can provide additional justification for permissive withdrawal on an *in camera* basis.

**CONCLUSION**

For the foregoing reasons, Sullivan & Worcester LLP respectfully requests that the Court (1) grant its motion for leave to withdraw as counsel of record for defendant Shineco in this matter and (2) stay this matter for a period of thirty days in order to give Shineco time to find new counsel.

Dated: New York, New York  
June 13, 2018

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